

House File 2380

H-8051

1 Amend House File 2380 as follows:

2 1. Page 2, after line 20 by inserting:

3 <Sec. _____. NEW SECTION. 514C.31 Opioid analgesic
4 drug products — coverage.

5 1. *Definitions.* For purposes of this section,
6 unless the context otherwise requires:

7 a. *"Abuse-deterrent opioid analgesic drug product"*
8 means a brand-name or generic opioid analgesic drug
9 product approved by the United States food and drug
10 administration with abuse-deterrence labeling claims
11 that indicate the product is expected to result in a
12 meaningful reduction in abuse of opioids.

13 b. *"Carrier"* means an entity that provides health
14 benefit plans in this state.

15 c. *"Health benefit plan"* means a policy,
16 certificate, or contract providing hospital or medical
17 coverage, benefits, or services rendered by a health
18 care provider.

19 d. *"Opioid analgesic drug product"* means a drug
20 product in the opioid analgesic drug class prescribed
21 to treat moderate to severe pain or other conditions
22 and includes immediate release, extended release, and
23 long-acting forms, whether or not combined with other
24 drug substances to form a single drug product or dosage
25 form.

26 2. *Coverage required.*

27 a. Notwithstanding the uniformity of treatment
28 requirements of section 514C.6, a contract, policy, or
29 plan providing for third-party payment or prepayment
30 of health or medical expenses that provides coverage
31 benefits for opioid analgesic drug products shall
32 provide coverage for an abuse-deterrent opioid
33 analgesic drug product as a preferred drug on the
34 carrier's drug formulary or preferred drug list.

35 b. Cost-sharing requirements for abuse-deterrent

1 opioid analgesic drug products shall not exceed the
2 lowest cost-sharing requirements applied to other
3 covered prescription drugs on the carrier's drug
4 formulary or preferred drug list.

5 3. *Prior authorization.*

6 a. A prior authorization or utilization review
7 requirement shall not require prior use of an opioid
8 analgesic drug product other than an abuse-deterrent
9 opioid analgesic drug product as a prerequisite for
10 access to an abuse-deterrent opioid analgesic drug
11 product.

12 b. This subsection shall not be construed to
13 prevent a carrier from requiring prior authorization
14 for an abuse-deterrent opioid analgesic drug product,
15 provided that the same prior authorization requirements
16 are applied to all versions of the same opioid
17 analgesic drug products that are not abuse-deterrent
18 opioid analgesic drug products.

19 4. *Applicability.*

20 a. This section applies to the following classes
21 of third-party payment provider contracts or policies
22 delivered, issued for delivery, continued, or renewed
23 in this state on or after July 1, 2016:

24 (1) Individual or group accident and sickness
25 insurance providing coverage on an expense-incurred
26 basis.

27 (2) An individual or group hospital or medical
28 service contract issued pursuant to chapter 509, 514,
29 or 514A.

30 (3) An individual or group health maintenance
31 organization contract regulated under chapter 514B.

32 (4) Any other entity engaged in the business of
33 insurance, risk transfer, or risk retention, which is
34 subject to the jurisdiction of the commissioner.

35 (5) A plan established pursuant to chapter 509A for

1 public employees.

2 (6) An organized delivery system licensed by the
3 director of public health.

4 b. This section shall not apply to accident-only,
5 specified disease, short-term hospital or medical,
6 hospital confinement indemnity, credit, dental, vision,
7 Medicare supplement, long-term care, basic hospital
8 and medical-surgical expense coverage as defined
9 by the commissioner, disability income insurance
10 coverage, coverage issued as a supplement to liability
11 insurance, workers' compensation or similar insurance,
12 or automobile medical payment insurance.>

13 2. Title page, line 1, after <relating to> by
14 inserting <drug overdose prevention, including>

15 3. Title page, line 3, by striking <victims.> and
16 inserting <victims, coverage of opioid analgesic drug
17 products, and providing an applicability date.>

18 4. By renumbering as necessary.

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